

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-13-WS - ORDER NO. 2007-139
FEBRUARY 26, 2007

IN RE: Application of Wyboo Plantation Utilities,) ORDER EXTENDING
Inc. for Approval of a New Schedule of Rates) ISSUANCE DATE OF
and Charges for Water and Sewer Services.) MERITS ORDER

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of an extra five (5) days to issue the Order in this water and sewer rate case docket involving Wyboo Plantation Utilities, Inc. (WPU or the Company). S.C. Code Ann. Section 58-5-240(C) (Supp. 2006) requires this Commission to rule and issue its order approving or disapproving any rate changes in full or in part within six months after a rate change request is filed. S.C. Code Ann. Section 58-5-240(D) (Supp. 2006), however, states that should the Commission determine that it cannot, due to circumstances reasonably beyond its control, issue such order within the six-month period prescribed by this section, the Commission may, by order, extend the six-month period for an additional five days. In the present case, we believe that such circumstances exist, and we hereby order an extension of the issuance date of the merits order in this case from February, 20, 2007, to February 26, 2007.¹

The “circumstances reasonably beyond our control” are clear in this matter. The hearing was originally scheduled for December 13-14, 2006, but was postponed after the

¹ February 25, 2007, fell on a Sunday, leading the due date to be carried over to the next business day, Monday, February 26.

unfortunate death of Mr. Joe Maready, WPU's accounting witness. To accommodate WPU's preparation following Mr. Maready's death, the Commission postponed the hearing until January 22, 2007, and thereby reduced the available time for preparation of the final order. The additional days allow for proper preparation and a full review of all aspects of the merits order in this complex water and sewer case. Accordingly, we make the following

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The matter under consideration is an additional five (5) days to issue the merits order in this Docket as allowed by S.C. Code Ann. Section 58-5-240(D) (Supp. 2006).
2. The actual extension would be from February 20, 2007, to February 26, 2007.
3. There are clearly "circumstances beyond our control" existing in this instance that warrant the extension for issuance of the merits order in this Docket.
4. Under the present schedule, there is insufficient time for preparation of the Order and proper review of the Order by Staff and Commissioners.
5. The time for issuance of the merits order in this case should be extended to February 26, 2007.

ORDER

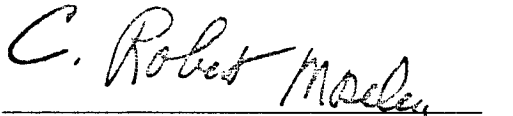
It is therefore ordered that the time for issuance of the merits order in this Docket shall be extended to February 26, 2007. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)